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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन
के रूप में रखा जा सके ।

Separate paging is given to this Part in order that it may be filed
as a separate compilation

MINISTRY OF LAW AND JUSTICE.

(Legislative Department)

New Delhi, the 9th December, 1988/Agrahayana 18, 1910 (Saka)

The following President's Act is published for general information:—

THE PUNJAB GRAM PANCHAYAT (AMENDMENT) ACT,
1988

No. 12 OF 1988

Enacted by the President in the Thirty-ninth Year of the Republic
of India.

An Act further to amend the Punjab Gram Panchayat Act, 1952.

24 of 1987. In exercise of the powers conferred by section 3 of the Punjab State
Legislature (Delegation of Powers) Act, 1987, the President is pleased to
enact as follows:—

1. This Act may be called the Punjab Gram Panchayat (Amendment)
Act, 1988.

Short
title.

2. In the Punjab Gram Panchayat Act, 1952 (hereinafter referred to
as the principal Act), in section 6, in sub-section (5), clauses (a) and
(aa), shall be relettered as clauses (aa) and (aaa) respectively and before
clauses (aa) and (aaa) as so relettered, the following clause shall be
inserted, namely:—

Amend-
ment of
section 6
of Punjab
Act
4 of 1953.

“(a) is not a citizen of India and does not make and subscribe
before an officer authorised in that behalf by the Director, an oath or
affirmation in the form specified in Schedule IV;”.

3. In the principal Act, in section 9, in sub-section (1), for the word
and figures “Schedule IV”, the word and figure “Schedule V” shall be
substituted.

Amend-
ment of
section 9
of Punjab
Act
4 of 1953.

Substitution of new Schedules for Schedule IV of Punjab Act 4 of 1953.

4. In the principal Act, for Schedule IV, the following Schedules shall be substituted, namely:—

"SCHEDULE IV

Form of oath or affirmation to be made by a candidate for election to the Gram Panchayat

[See section 6(5)]

I, A. B., having been nominated as a candidate to fill a seat in the Gram Panchayat do swear in the name of God _____ that I will bear true solemnly affirm faith and allegiance to the Constitution of India as by law established and that I will uphold the sovereignty and integrity of India.

SCHEDULE V

Form of oath or affirmation to be made by a Sarpanch/Panch

[See section 9(1)]

I, A. B., do swear in the name of God _____ that I will bear true faith solemnly affirm and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India, that I will faithfully and conscientiously discharge my duties as a Sarpanch/Panch and that I will do right to all manner of people in accordance with the Constitution of India and the laws, without fear or favour, affection or ill-will."

R. VENKATARAMAN,
President.

S. RAMAIAH,
Secy. to the Govt. of India.

Reasons for the enactment

The Government of Punjab have decided to hold the election to the Gram Panchayats in the State by the 31st day of January, 1989. It is felt that the oath which is administered to a Panch/Sarpanch at the time of entering upon the duties of office of Panch/Sarpanch should also provide that they accept to protect the sovereignty and integrity of the country. It is also proposed to provide for similar oath/affirmation at the time of filing nomination papers by the candidates for the election of Panches/Sarpanches. These provisions are proposed to be made on the lines of election to the Legislative Assemblies and Parliament as contained in articles 173 and 84 respectively of the Constitution of India.

2. The Government have, therefore, decided to amend section 6(5), section 9(1), Schedule IV and to insert a new Schedule to the Punjab Gram Panchayat Act, 1952.

3. Parliament has under article 357(1) (a) of the Constitution conferred on the President the power of the Legislature of the State of Punjab to make laws *vide* the Punjab State Legislature (Delegation of Powers) Act, 1987 (24 of 1987).

4. Under the proviso to sub-section (2) of section 3 of the Punjab State Legislature (Delegation of Powers) Act, 1987, the President shall, before enacting any President's Act, whenever he considers it practicable to do so, consult the Committee constituted for the purpose, consisting of the Members of both the Houses of Parliament. In view of the urgency of the matter, it is not practicable to consult the Committee. This measure is accordingly being enacted without reference to the Committee.

V. C. PANDE,

Secretary to the Govt. of India
(Department of Rural Development).

